

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

JERRY HOLLAND AND KATHRYN
HOLLAND,

Case No. 1:19-CV-07154-RBK-JS

Plaintiffs,

v.

ZHEJIANG HUAHAI
PHARMACEUTICAL CO., LTD.,
TEVA PHARMACEUTICAL
INDUSTRIES, LTD. TEVA
PHARMACEUTICALS USA, INC.,
ACTAVIS LLC, ACTAVIS PHARMA,
INC., MYLAN LABORATORIES, LTD.,
MYLAN, INC., AUROBINDO
PHARMA LIMITED, AUROBINDO
PHARMA USA, INC.,

Defendants.

AFFIDAVIT OF CELESTE INGALLS

I declare that I, Celeste Ingalls, am a citizen of the United States, over the age of twenty-one, not a party nor an attorney for any party in this action, and state the following:

1. I am employed by Alan H. Crowe & Associates, Inc. dba Crowe Foreign Services, 1020 SW Taylor Street, Suite 240, Portland, Oregon, and I have specialized in the service of civil process in foreign countries.

2. The United States and India are both signatories to the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, Done at the Hague, November 15, 1965, (Hague Service Convention).

3. I have successfully, on a frequent and regular basis for more than 23 years, prepared, signed and forwarded requests for service of process in accordance the Hague Service Convention in India from various United States Federal and State Courts, as well as from courts in Canada and other territories.

4. Since 2003, I have attended, at special invitation as a private expert, all Special Administrative Sessions of the Hague Conference in The Hague, Netherlands, at which each signatory country was represented by their respective Judicial Authorities to discuss the practical mechanics of, and problems encountered in dealing with, the Hague Service Convention and the Hague Evidence Convention as they apply to each country's laws and interpretations of the Convention and its obligations.

5. I have participated (at invitation) with the Hague Administration in a "training" session, presided over by the Hague Administration, to provide guidance to a foreign Central Authority and its courts on their practical obligations with respect to service under the provisions of the Hague Service Convention. At this session, it was agreed by the Hague Administration that each signatory country has the discretion to interpret the Convention articles in a way that conforms to their internal law.

6. In accordance with Rule 4 (f)(1), of the Federal Rules of Civil Procedure, service outside the United States shall be subject to the provisions of the Hague Service Convention.

7. India declared at its accession to the Hague Service Convention, that it formally objects to the alternative methods of service outlined in Article 10 of the Hague Service Convention and mandates all service go through the designated Central Authority for India.

8. The Ministry of Law and Justice of India (Central Authority) has been designated as the entity authorized to receive and effect service of civil process in India in accordance with the Hague Service Convention.

9. On May 29, 2019, I forwarded the Summons in a Civil Case, Complaint and Conditional Transfer Order, to the Central Authority, to be served upon **Aurobindo Pharma Limited** in accordance with the Hague Service Convention.

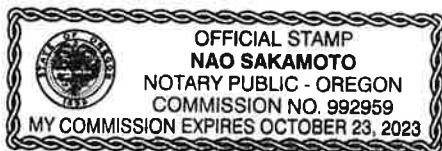
10. No signatory nation is obligated under the Hague Service Convention to provide status on a request for service in its possession and India's Central Authority does not.

11. The Hague Service Convention does not impose an obligatory time frame.

12. My recent experience is that the time frames for completed service in India in accordance with the Hague Service Convention have varied greatly and in the past 2 years have increased to an average of between 8 and 12 months, with some occurring in less time and some taking much longer. Unfortunately, there is no available option for expediting this process.



SUBSCRIBED AND SWORN to before me this 17th day of January, 2020.


Notary Public for Oregon